

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRAIG WIENEKE,

Defendant.

Case No. 17-03071-01-CR-S-RK

MOTION FOR DETENTION

Comes now the United States of America, by and through Thomas M. Larson, Acting United States Attorney for the Western District of Missouri, and the undersigned Assistant United States Attorney, and hereby moves this Court to order the detention of the defendant, **CRAIG WIENEKE**, and states the following in support of the motion:

1. An indictment has been filed charging the defendant with receipt and distribution of child pornography, in violation of Title 18, United States Code, Sections 2252(a)(1) and (b)(1).
2. Title 18, United States Code, Section 3142(f) provides, in pertinent part, that hearing must be held by the appropriate judicial officer to determine whether any condition or combination of conditions “will reasonably assure the appearance of such person as required and the safety of any other person and the community” if the attorney for the Government moves for such a hearing and the case involves:

“(E) any felony that is not otherwise a crime of violence that involves a minor victim... .”

3. Title 18, United States Code, Section 3142(e) mandates, subject to rebuttal, “it shall be presumed that no conditions or combination of conditions will reasonably assure the appearance of a person as required and the safety of the community if the judicial officer finds that there is probable cause to believe that there is probable cause to believe that the person committed—(E) an offense involving a minor victim under section 2252(a)(2)... of this title.”
4. The defendant came to the attention of law enforcement after he posted multiple images depicting child pornography on Pinterest. Two of the images posted on Pinterest depicted children, likely under five years of age, engaged in sexually explicit conduct.
5. On April 4, 2017, a warrant was executed at the defendant’s home. The defendant confessed that he had been receiving and distributing child pornography via the internet. The defendant acknowledged that he had been interested in child pornography since he was in high school. The defendant further admitted that he used the images of depicting children engaged in sexually explicit activity to facilitate masturbation.
6. The forensic examination of the defendant’s computer yielded the discovery of 237 image files and 104 video files. The files contained images of children as young as three to four years old being raped by adults.
7. This case involves a minor victim. See 18 U.S.C. § 3142(g)(1).

8. The evidence against the defendant is overwhelming. See 18 U.S.C. § 3142(g)(2).

Wherefore, based upon the foregoing, the United States submits that there is clear and convincing evidence that there are no conditions which the Court could place upon the defendant that would reasonably assure the defendant's appearance in Court and the safety of the community. The Government therefore requests that a detention hearing be held and that the defendant be detained pending trial of this matter.

Respectfully submitted,

Thomas M. Larson
Acting United States Attorney

By: /s/ James J. Kelleher
James J. Kelleher
Assistant United States Attorney
Missouri Bar No. 51921

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on June 21, 2017, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ James J. Kelleher

James J. Kelleher

Assistant United States Attorney